

<b>viaSport Policy</b>	
<b>Policy Type:</b>	Governance Policy
<b>Created:</b>	January 2019
<b>Revised:</b>	July 2024
<b>Reviewed:</b>	Every 2 years
<b>Policy Name:</b>	<b>Criminal Record Check Policy</b>

**1) POLICY STATEMENT**

- a) viaSport has a moral, ethical, and legal responsibility to have a Criminal Record Check program in place to protect the health and safety of all staff, volunteers, and sport education attendees.

**2) PURPOSE**

- a) To ensure that viaSport upholds the duty of care owed to everyone involved in viaSport overseen activity and to set a standard for the BC Amateur Sport sector by conducting the appropriate screening and criminal record checks.

**3) SCOPE**

- a) This policy applies to:
  - i) Individuals in permanent (full-time and/or part-time) staff positions
  - ii) viaSport Board of Directors
  - iii) viaSport committee or working group members
  - iv) Volunteers and contractors responsible for the delivery of viaSport programs, including but not limited to NCCP Coach Developers.

**4) DEFINITIONS**

- a) Criminal Record Check: includes a Criminal Record Check, Vulnerable Sector Check, or Enhanced Police Information Check.
- b) Completed Criminal Record Check: A Criminal Record Check, Vulnerable Sector Check, or Enhanced Police Information Check, that was conducted through a viaSport approved provider, and has been received with no flags (i.e. is clear) or has been received and reviewed by viaSport's Screening Officer, and a decision has been made whether or not the individual is cleared to continue in their role (or another role).
- c) Occasional Volunteers: Those volunteers who participate once a month or less or on an "one-off" basis.
- d) Relevant Offence:

If imposed in the last five years:	Any offence involving the use of a motor vehicle, including but not limited to impaired driving. Any violation for trafficking and/or possession of drugs and/or narcotics. Any offence involving conduct against public morals.
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If imposed in the last ten years:	Any crime of violence including but not limited to all forms of assault. Any offence involving a minor or minors.
If imposed at any time:	Any offence involving the possession, distribution, or sale of any child-related pornography. Any sexual offence involving a minor or minors. Any offence involving theft or fraud.

- e) Vulnerable Person: Any youth, or an adult who is or may be unable to take care of themselves or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.

**5) STANDARDS**

- a) Directors, Volunteers, Employees and Contractors of viaSport who are aged 19 years and older must have a completed Criminal Record Check.
- b) Directors, Volunteers, Employees and Contractors participating on a regular basis in any element of youth sporting activity, or, who will be with a vulnerable person, must have a completed Vulnerable Sector Check or Enhanced Police Information Check.
- c) Criminal Record Checks that were completed for Directors, Volunteers, Employees and Contractors who are volunteering or employed with other organizations can share the results with viaSport provided the CRC is dated within the last 6 months.
- d) Occasional Volunteers with viaSport are not required to complete a Criminal Record Check, Vulnerable Sector Check, or Enhanced Police Information Check. If an Occasional Volunteer has interactions with a vulnerable person another adult who has completed a Vulnerable Sector Check or Enhanced Police Information Check must be present.
- e) Criminal Record Checks, Vulnerable Sector Checks, or Enhanced Police Information Checks are valid for 36 months from the date that has been stamped by a viaSport approved provider.
- f) viaSport's Screening Officer is the CEO (or designate) and has the authority to:
  - i) Review and decide if an individual can continue in their current or potential role.
  - ii) Require an individual to provide additional information as a part of the Criminal Record Check review.
  - iii) Require an individual to submit a new Criminal Record Check prior to the anticipated renewal date.
  - iv) Specify the Criminal Record Check provider that an individual must use.

- g) viaSport will not knowingly allow a Director, Volunteer, Employee or Contractor who has a conviction for a Relevant Offence to carry on in their role, without the Screening Officer reviewing the details and determining the suitability for the role.
- h) If a Director, Volunteer, Employee or Contractor of viaSport is charged with or convicted of an offence, that person must report the charge or conviction to viaSport's Screening Officer within 24 hours.
  - i) viaSport must request within 24 hours that the charged or convicted person obtain a new Criminal Record Check, Vulnerable Sector Check, or Enhanced Police Information check (if applicable) and determine, within timelines specified by viaSport, if that person is suitable to continue carrying out their duties.
- i) If a Director, Volunteer, Employee or Contractor of viaSport convicted of any Criminal Code offenses may result in expulsion from the organization and/or termination from any designated positions, program, activity or event upon the sole discretion of viaSport.
- j) All records will be securely stored and accessed in accordance with our Privacy Policy.
- k) All records will be maintained in a confidential manner conforming to the British Columbia Personal Information Protection Act and in accordance with our Privacy Policy and will not be disclosed to others except as required by law, or for use in legal, or disciplinary proceeding.

## **6) GUIDELINES**

- a) The following providers and checks are acceptable for Vulnerable Sector Check:
  - i) RCMP (Royal Canadian Mounted Police – Vulnerable Sector Check.
  - ii) Local municipal police department – Vulnerable Sector Check.
  - iii) Criminal Records Review Program – Vulnerable Sector Check (“working with adults” and “working with children” must be selected).
  - iv) Sterling Backcheck's Enhanced Police Information Check (EPIC).
- b) Where the Screening Officer is of the opinion that, notwithstanding a conviction for a Relevant Offence, a person can occupy a position without adversely affecting the safety of others, the Screening Officer may approve a person's placement.

## **8) APPLICABLE OPERATIONAL PROCEDURES**

- a) N/A

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